

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT	)	PDC CASE NO: 01-471
ACTION AGAINST	)	
	)	
Walter Mazna	)	Notice of Administrative
	)	Charges
Respondent.	)	
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IT IS ALLEGED as follows:

**I.**  
**JURISDICTION**

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Commission, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

**II.**  
**LAW**

**RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts**, states in part: “(1) Every elected official and every executive state officer shall after January 1<sup>st</sup> and before April 15<sup>th</sup> of each year file with the commission a statement of financial affairs for the preceding calendar year...”

**RCW 42.17.241** details the content required in each report.

**WAC 390-24-010 Forms for Statement of Financial Affairs**, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 11/97...”

### **III.** **FACTS**

The Respondent, Walter Mazna, is a Fire Commission for Clark County Fire District No. 14, 38615 NE 41<sup>st</sup> Avenue, La Center, Washington. His term of office ends in the year 2005.

**(Exhibit 1)** Mr. Wulff held office during 2000 and was required to file a Statement of Financial Affairs (PDC form F-1) by April 15, 2001. Because April 15<sup>th</sup> fell on a Sunday, the form was due on Monday, April 16, 2001. The F-1 report was not filed. On May 17, 2001, Walter Mazna was sent a postcard informing him that the F-1 report due by April 16, 2001 had not been received. **(Exhibit 2)** On June 15, 2001, Mr. Mazna was notified of a brief enforcement hearing scheduled for July 24, 2001. On July 17, 2001, Mr. Mazna was notified that the brief enforcement hearing had been rescheduled to July 30, 2001. He was given an opportunity to file the missing F-1 report, sign a Statement of Understanding, admitting a violation, and pay a penalty of \$50. **(Exhibit 3)** No response was received. On July 30, 2001, Chair Christine Yorozu asked that the full commission hear the matter. The F-1 report due April 16, 2001 has not been received.

**Past History** – On October 6, 2000, the PDC sent a hearing notice in PDC Case No. 01-084 to Mr. Walter Mazna alleging that Mr. Mazna failed to file a Personal Financial Affairs Statement, PDC Form F-1 by April 17, 2000. On December 11, 2000, an order was entered finding Mr. Mazna in violation of RCW 42.17.240 and assessing a civil penalty of \$500. The order further stated that if the assessed penalty were not paid within 30 days of the date of the order, the unpaid penalty would be turned over to the Attorney General of Washington for collection. The

PDC's decision is set forth in its Findings of Fact, Conclusions of Law, and Order sent to Mr. Wulff. Fifty dollars towards the civil penalty assessed has been paid.

On November 23, 1999, the PDC sent a hearing notice in PDC Case No. 00-605 to Mr. Walter Mazna alleging that he failed to file a Personal Financial Affairs Statement, PDC Form F-1, within two weeks of becoming a candidate for commissioner of Clark Fire Protection District No. 14. On January 14, 2000, an order was entered finding Mr. Mazna in violation of RCW 42.17.240 and assessing a civil penalty of \$500 with \$450 suspended on the condition that the F-1 was filed and the penalty was paid within 30 days. The PDC's decision is set forth in its Findings of Fact, Conclusions of Law, and Order sent to Mr. Mazna. The terms of the suspension have not been complied with and PDC staff is seeking a review of PDC Case No. 00-605 concurrent with this action.

#### **IV.**

#### **CONCLUSION**

Staff alleges, based on the facts specified in Section III, that Walter Mazna has violated RCW 42.17.240 by failing to file a Statement of Financial Affairs (PDC form F-1) by April 16, 2001.

RESPECTFULLY SUBMITTED this 7th day of August, 2001.

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Philip E. Stutzman  
Director of Compliance